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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,721	12/11/2000	Takayuki Asai	Q62202	2903

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
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EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,721

Applicant(s)

ASAI, TAKAYUKI

Examiner

CongVan Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to amendment filed on Feb. 26, 2004.
2. Claim 1 has been amended.
3. Claim 11 has been canceled.
4. Claims 14-16 have been added.

Response to Arguments

5. Applicant's arguments filed on Feb. 26, 2004 have been fully considered but they are not persuasive. In response to applicant's argument

Regarding claim 1 that the references fail to disclose or suggest displaying unit displaying data received from transmission source along with data not received from the transmission source at that time (e.g. data that had been previously stored in the transmission destination). Examiner respectfully disagrees in Rossmann's reference displays data had been the previously stored in the transmission destination (see fig.2C, element 200, 202, 204, col.13, lines 52-62 and its description). Therefore the previous rejection is proper.

Regarding claims 2-10, that the Rossmann's reference fails to disclose or suggest displaying the data in a predetermined order, as argument filed on Feb. 26, 2004, page 8, "the data received from the client module, in form of "cards" can be displayed by user in any order selected by user" therefore it is obvious that the user can select in any order of cards meaning as predetermined order selected by the user.

Regarding claim 12, that the Rossmann's reference fails to disclose or suggest "displaying the unit display data after the special unit display data is displayed"

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Examiner respectfully disagrees in Rossmann's reference the unit display data can select by user it is clearly that unit display data can display data after the special unit display data is displayed, therefore the rejection is proper.

Regarding claim 13, that the Rossmann's reference fails to disclose or suggest "when display of unit display data of the first unit transfer data is designated, transferring second unit transfer data containing a plurality of unit display data from a second transmission source to the information terminal". Examiner respectfully disagrees in Rossmann's reference the user terminal (100, 105) has been received multi card deck containing a plurality of unit display various computer 121 (fig.2, col.12, lines 16-52 and its description).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-10, 12-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Rossmann (6,625,447).

Regarding claim 1, 14-15 Rossmann discloses a method and architecture for an interactive two-way data communication network comprising the steps of: transferring first unit transfer data containing at least a plurality of unit display data from a first

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transmission source to a transmission destination (see fig.1, elements 100, 110, 120, 121, col.12, lines 16-23 and its description); and when display of unit display data of the first unit transfer data is designated at the transmission, displaying the unit display data of the first unit transfer data and another display data, previously stored in the transmission destination (see fig.2, col.12, lines 16-33, fig.2C, element 200, 202, 204, col.13, lines 52-62 and its description).

Regarding claims 2-3, 5-7, 9, Rossmann further discloses the first unit transfer data contains special unit display data and a plurality of unit display data, and the step of displaying comprises the step of displaying the unit display data of the first unit transfer data and the special unit display data as another display data in a predetermined order (see fig.2-4, col.12, lines 24-col.19, line13).

Regarding claims 4, 8, Rossmann further discloses the step of automatically switching to display unit display data of the first unit transfer data after the special unit display data is displayed for a predetermined period of time (see col.48, line 31-col.49, line 36)

Regarding claim 10, Rossmann further discloses the transmission source is a control station, and the transmission destination is a portable terminal for performing information communication with the control station through a radio base station (see fig.1, elements 100, 110, 121 and its description).

Regarding claims 12-13, 16, Rossmann discloses a method and architecture for an interactive two-way data communication network comprising the steps of: transferring unit transfer data containing special unit display data and a plurality of unit display data from a first transmission source to a transmission destination (see fig.1, elements 100, 110, 120, 121, col.12, lines 16-23 and its description); and when display of unit display data of the first unit transfer data is designated at the transmission, displaying the unit display data of the first unit transfer data and another display data, previously stored in the transmission destination (see fig.2, col.12, lines 16-52, fig.2C, element 200, 202, 204, col.13, lines 52-62 and its description).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 703-305-4024. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CONGVAN TRAN
PATENT EXAMINER

CongVan Tran
Examiner
Art Unit 2683

CT
April, 15, 2004